

## **Rule 9036-1**

### **NOTICE BY ELECTRONIC TRANSMISSION; SERVICE BY FACSIMILE**

(a) Service of any pleading or paper other than those required to be served in compliance with Fed. R. Bankr. P. 9014 or 7004 may be made by transmitting it by facsimile or by other electronic means to the attorney's or party's office with a cover sheet containing the sender's name, firm, address, telephone number, facsimile number, Internet e-mail address, and the number of pages transmitted. When service is made by facsimile or other electronic means, a copy shall also be served by any other method permitted by Fed. R. Bankr. P. 7005 unless the party being served has consented to receive service by electronic transmission or facsimile. Service by facsimile after 5:00 p.m. (at the point of delivery) shall be deemed to have been made on the next business day. Service by facsimile constitutes a method of hand delivery for the purpose of computing the time within which any response is required.

(b) Three days shall be added when computing the time within which any response is required when service is effected by facsimile or by other electronic methods.

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### ***Notes of Advisory Committee***

#### ***2004 Amendment***

This amendment corrects the Bankruptcy Rules citation to that of the currently used citation. Further, this amendment conforms this local rule to related new Federal Rules of Bankruptcy Procedures amendments. These changes permit the service of most documents via electronic methods between parties who have consented to do so in writing pursuant to Fed. R. Bankr. P. 7005(b)(2)(d). This amendment also corrects a technical error associated with time computation of documents served by facsimile. Regardless of the electronic method used, it is now clear that 3 days is added to the prescribed deadline.

### ***1997 Amendment***

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment is effective on April 15, 1997.

This rule was formerly Local Rule 2.02(c). The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

### ***1995 Amendment***

The amendment to Local Rule 2.02(c) allows service by facsimile of motions (other than motions required to be served in compliance with Fed. R. Bankr. P. 9014 and 7004), briefs, applications and submissions in response to motions, briefs, or applications. These changes are substantially identical to provisions contained in District Court Local Rule 1.07(c).

These amendments were effective on February 15, 1995.